

APPENDIX E

PUBLIC COMMENTS RECEIVED REGARDING DRAFT ENVIRONMENTAL ASSESSMENT

From: bcwood0885 [bcwood0885@sbcglobal.net]
Sent: Monday, March 27, 2006 8:52 AM
To: Nolen, Stephen L SWT
Subject: golf course

Dear Mr. Nolen,

As residents of Beverly Hills Lake Estates Two, we would prefer that the golf course remain at the original location. Switching the location of the camp ground and golf course, puts the campground closer to residential areas, and will possibly decrease the value of our property values.

Sincerely,

Robert and Carolyn Wood
14410 Giorgio Drive
Skiatook, OK 74070
918-396-7658

From: Dennis Lenox [mailto:dlenox@americanbankok.com]
Sent: Monday, March 27, 2006 3:31 PM
To: Nolen, Stephen L SWT
Subject: GOLF COURSE

MR. NOLEN.

WE ARE LAND OWNERS IN THE CROSS OAKS SUB-DIVISION, IN SKIATOOK , OK. WE
THINK THE GOLF COURSE SHOULD SATY IN THE SAME PLACE AS PLANED SEVERAL
YEARS AGO.

DENNIS AND SHERRY LENOX

From: Paul Kallenberger [mailto:PKallenberger@trustok.com]
Sent: Tuesday, March 28, 2006 10:13 AM
To: Nolen, Stephen L SWT
Subject: Cross Timbers Development

Mr. Nolen,

I am writing to discuss and to object to the change in plans for Cross Timbers on Skiatook Lake. My primary objection concerns the move of the proposed golf course from Skiatook Point to the Tall Chief Cove area. My comments are as follows:

1. The original plan gained the additional support of the people of Skiatook and the Skiatook Lake neighborhoods because the golf course was located closer to the Skiatook population center at Skiatook Point.
2. The Tall Chief area golf course relocation proposal will make it more difficult for the Skiatook residents and most of the Skiatook Lake residents to use the golf course facilities.
3. At Skiatook Point, the golf course will have a quiet and majestic view of the lake and the valley below the lake. The Tall Chief location will have a view of existing camp grounds, a sewage lagoon, more noise and certainly more nearby traffic.
4. Locating campgrounds on Skiatook Point would seem to isolate the RV users from the Cross Timber facilities and these users might as well be camping at other Skiatook Lake campgrounds as far as use of the Cross Timber area is concerned. Campground users enjoy walking, swimming, etc. Most of these facilities will be in the main Cross Timbers area and not at Skiatook Point. Skiatook Point receives a strong south wind in the summer. It would not be safe to swim in this area, and the boat launch facilities are certainly more dangerous to use in the summer than the more protected Tall Chief area. Nor will most Skiatook Point campers be able to tie up boats on the shoreline because of these strong south winds.
5. Putting Campgrounds in the Skiatook Point will increase the traffic flow, crime and vandalism in that area. Currently, these safety problems are present in and about the Tall Chief campground, swimming beach and boat ramp areas. It makes sense to isolate these safety problems to one area and provide the necessary security to this one area than to spread the safety issues to two areas. I suspect that even the Lake's Corps office will require around the clock security as a result of the

campground traffic. The Healing Rock will be a prime target for vandalism and graffiti. Now, it is easy to maintain and secure. With the golf course, it would be easy to maintain and secure. With the campgrounds, I would anticipate that the Sheriff's office, the Corps or Cross Timbers will need to provide 24/7 guards to this sacred Indian area. The Osage County Sheriff's Department will now need to maintain deputies at both public use locations as they now provide security for only the Tall Chief area.

I hope my comments will be useful.

Paul E. Kallenberger

150 Giorgio Drive

Skiatook, OK 74070

918 396-0499

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From: Mary Short [msshort@direcway.com]

Sent: Tuesday, March 28, 2006 8:22 PM
To: Nolen, Stephen L SWT
Subject: Cross Timbers Golf Course

Dear Mr. Nolen,

As residents of Beverly Hills Lake Estates II for almost six years, we would prefer that the golf course remain at the original location. Switching the location of the camp ground and golf course, puts the campground closer to residential areas, and will possibly decrease the values of property in our neighborhood. When we chose to live here, one of the considerations given to living here was that it was across the lake from large campgrounds with much activity and noise.

Thanks for allowing us a say in this matter.

Sincerely,

Steve and Mary Short
14450 Giorgio Drive
Skiatook, OK 74070
918-396-9192



Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

March 29, 2006

Stephen L. Nolen
Chief, Environmental Analysis and
Compliance Branch
Department of the Army
Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Re: *Environmental Assessment of the Proposed Relocation of the Golf Course and
Camping/RV Area, Crosstimbers Development Project, Skiatook Lake, Osage
County, Oklahoma.*

Dear Mr. Nolen:

I have completed a review of the above referenced environmental assessment. I previously commented on the draft EA in a letter dated March 31st, 2003. In this letter, I noted that the "Healing Rock" was a traditional property and I would defer comment on eligibility decision to the Corps of Engineers and the concerned tribes. At this point, the Healing Rock will be protected from development plans and will meet the concerns of the tribes. I also noted in my letter that 34OS678 would require further evaluation to determine eligibility to the National Register. It is acknowledged in the EA that protection will be afforded the site and it will be considered as potentially eligible. I did not see further mention of the two historic archaeological sites (34OS676 and 34OS677) recorded during the cultural resource inventory of the project. I had deferred opinion on their eligibility and project effect to the State Historic Preservation Office. I assume that the two sites have been adequately treated in regard to concerns of the Preservation Office.

This review has been conducted in cooperation with the State Historic Preservation Office, Oklahoma Historical Society.

Sincerely,

Robert L. Brooks
State Archaeologist

Cc: SHPO
Osage Nation
Quapaw Tribe

KEVIN CLOUGH

P.O. Box 1055
Owasso, OK 74055

March 29, 2006

Mr. Stephen L. Nolen
Chief, Environmental Analysis and Compliance Branch
United States Army Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Dear Stephen,

Thank you for allowing my input upon the proposed changes to the CrossTimbers development on Federal lands at Skiatook Lake in Osage County, Oklahoma regarding the location of there Golf Course and camping area. At this point I remain concerned with any changes to the established plans and would not support the change.

The neighborhood in which I reside borders the CrossTimbers leased land on both the East and North sides "East Ridge Estates". My concern with changes to the Master Plan is what has currently happened to date with CrossTimbers developers and the area of land that borders our sub-division and Skiatook Lake. (Area 8 and northern portion of Area 7 of The Old Timber Inventory report). In all meetings and available architectural renderings (www.CrossTimbers.biz) of CrossTimbers plans it has been indicated a shoreline hiking trail would be developed. This hiking trail was shown to follow the contour of the lake and provide an excellent means to recreate along the lake and observe the ancient cross timbers prairie habitat in a recreation-low density use area.

However, CrossTimbers developers bulldozed a road along the fence line (9'6" wide) which borders all existing backyards along the West side of our neighborhood. This road (trail) we have later found was constructed prior to any determination of:

- 1.) Why was the road (Trail) moved from the shoreline to our backyards without any neighborhood input from East Ridge Estates.
- 2.) What type of trail surface will be used.
- 3.) What type of security program will be in place, as of today no security is in place.
- 4.) What liability will homeowners whom share one half of the road (Trail) border have to take on.
- 5.) What will be done with all the trees which were knocked down while bulldozing the road (trail). We hope they do not burn them unattended as was done in other CrossTimbers construction.
- 6.) What will happen to the fence that was undercut in many areas and knocked down in some. My yard was undercut up to 1'6" in many areas.

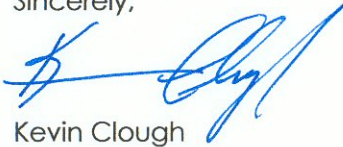
Along with the CrossTimbers road (trail), developers built a wooden structure over the major drainage area of our neighborhood. This wooden structure was constructed by pushing boulders into the existing drainage obstructing the flow area from 15'6" wide to

7'1" wide. This structure borders our neighborhood and will decrease the storm run-off water flow. The decreased water flow and back up of silt will damage private property. Two trees were cut down and removed from private property while building this structure.

I am very impressed with the extent of work required to make changes to this original Environmental Assessment and it's effect upon the environment and socio-economic issues. With so much work required to change the location of a golf course and an camping area in two areas which have little or no common borders with existing residential areas I wonder why is the same detail is not required for changes to land that actually borders existing residential areas. This road (Trail) was cleared and now provides an easy and unsecured access to my family and our home of nine years.

I also do not recommend the change in location of the golf course because it's new location will border and be very close to the Red Castle Gun Club. The Red Castle Gun Club was organized in 1963 and is beneficial to all member families and the local community. The possible noise from the gun range may be distracting to golfers and cause potential issues with yet another neighbor to the CrossTimbers Resort.

Sincerely,



Kevin Clough

From: Stephanie Upton [s-upton@sbcglobal.net]
Sent: Friday, March 31, 2006 1:30 PM
To: Nolen, Stephen L SWT
Subject: Skiatook Chamber of Commerce

Mr. Stephen Nolen,

I'm writing in reference to the CrossTimbers Development Project at Skiatook Lake. The proposal is for the relocation of the Golf Course and Camping/RV Area at Skiatook Lake which is located in Osage County. It is important to the region of the success of CrossTimbers for this proposal to be accepted. If accepted, it will provide economic development, tax benefits, and most importantly jobs in Oklahoma. The Skiatook Chamber supports this proposal and the a U.S. Army Corps of Engineers.

Stephanie Upton
Director, Skiatook Chamber of Commerce
918-396-3702 office
918-698-3702 cell
"Be Extraordinary, not ordinary"

From: Don England [done@northville.com]
Sent: Friday, March 31, 2006 10:47 AM
To: Nolen, Stephen L SWT
Subject: FW: Crosstimbers - Relocation of campgrounds at Skiatook lake

Dear Mr. Nolen,

As a major property owner at The Estates at Cross Timbers, I strongly recommend the relocation of the existing camp ground located at Skiatook Lake to allow the development of the Golf Course on that site. It just makes sense to move the campground to the proposed site and replace with the Golf Course. This will be much more appropriate to the residential development that is proceeding. Everyone wins with this change as the campers and residents will avoid future conflicts over their specific uses of this area of the lake. Thank you for your consideration in this matter.

Regards,

Don England

From: Lisa Burn [lisa@buffaloland.com]
Sent: Friday, March 31, 2006 10:03 AM
To: Nolen, Stephen L SWT
Subject: CrossTimbers

Mr. Nolen,

My husband and I are owners of two lots in Phase I. We feel like this development/community is going to be great for the State of Oklahoma. We would like to see the CrossTimbers Golf Course be moved to Tallchief Cove. We strongly support StateSource, LLC. in this decision.

Thank you for your time.

Lisa & Blaine Burn

From: Marc Kodack [mkodack@adelphia.net]
Sent: Saturday, April 01, 2006 8:36 PM
To: Nolen, Stephen L SWT
Subject: Comments on the Environmental Assessment for Skiatook Lake

Dear Mr. Nolen,

Following are my comments on the Environmental Assessment of The Proposed Relocation of The Golf Course and Camping/RV Area, CrossTimbers Development Project, Skiatook Lake, Osage County, Oklahoma. My concerns with the entire EA are based on missing information that should appear in the document. Information on the project from the State Historic Preservation Officer/State Archaeologist is missing. Actual surveys to determine the presence/absence of the burying beetle have not been conducted.

In-depth discussion of Environmental Justice with supporting Census data is not presented. And, the absence of the turf management plan because of its possibly effect on water quality in Skiatook Lake together make the issuance of a Finding of No Significant Impact premature. Until the missing information is included and the public have had the opportunity to then evaluate that information, the potential/real effects of the project on the environment cannot be determined than is currently possible with the EA as written.

Sincerely yours,

Marc Kodack
129 Lighthouse Lane
Winchester, Virginia 22602

Page 8, B. Preferred Alternative (Proposed Action) and page 21 Threatened and Endangered Species. If the burying beetle (ABB) is a Federally-listed endangered species and may be present with the proposed project area, how can adverse impacts be minimized after construction begins if the beetle is present? By the start of construction it may be too late to "minimize" any adverse effects.

Why is a survey being delayed until after construction begins? Is the beetle present the project area? If the answer is unknown, how can a post-construction survey gather baseline data untainted by the construction work? In a letter from Mr. Jerry J. Brabander to COL Kurka, Mr. Brabander says that some construction activity may already have begun in the Village and marina areas. How has this been resolved with the U.S. Fish and Wildlife Service? Is coordination still on-going?

Page 8, B. Climate. Every environmental assessment must be a separate stand alone document in order for reviewers and the public to evaluate if all the information necessary to make a decision on whether the proposed action will or will not adversely effect the environment. References to the 2003 EA and information contained in that document must be included. Thus, the 2003 EA should have been included as a separate appendix.

Page 18, Environmental Justice. Where is information presented on what populations would be affected? Where is the census data to show what populations may be present in the surrounding area? Would a golf course and marina be used by these underserved populations? Where is that discussion?

Page 21-22, 9. Cultural Resources. Have the visual effects to the two eligible properties been assessed? Degradation of the surrounding landscape that is visible from these properties could adversely effect their current eligibility to the National Register of Historic Places. What does the Oklahoma State Historic Preservation Officer and State Archaeologist say about the proposed plans? What do they say about visual intrusions to these eligible properties?

Page 24. There is an extended discussion about turf management. However, turf management is to appear in a not-as-yet-written part of the Cross-Timbers Environmental Management Plan. How can the a reviewer or the public evaluate what is planned if the turf management portion of the EMP does not yet exist, particularly since run-off may affect water quality in the lake? How will the turf management plan contents be enforced if it is written after NEPA compliance is completed? The EA must contain all the information.

Page 25, Air Quality. What are the temporary changes in air quality that will occur in the construction zone? Will these temporary changes, such as increased levels of sulphur and nitrogen oxide from the combustion of diesel fuel, have an adverse effect on local air quality? Where is this discussion in the EA?

On page 9 the following is written "The Tall Chief Cove camping facilities are used at a 100% rate on weekends (turning away a number of individuals during the peak recreation season). Crystal Bay Marina, located on the north shore of the lake, operates at approximately 90% capacity during the boating season (May through September). The recently opened Cross Timbers Marina is currently operating at approximately 95% capacity.

Ye the following is from page 26.

"The Skiatook Lake project anticipated much greater development of recreational areas and larger visitor numbers than have occurred to date. The Final Environmental Statement prepared for Skiatook Lake identified a total of seven public use areas to be developed on 1,350 acres of USACE managed lands. The proposed lease area consists of approximately 47% of the acreage identified to be developed at the lake (631 acres of leased lands divided by 1,350 acres identified to be developed) and just over 3% of the total project lands and water comprising the Skiatook Lake project (677 acres of total lease area divided by 20,000 acres of USACE managed lands). Prior to construction an average annual visitation of 1,455,000 people was estimated for the lake, which would have been supported in part by the seven proposed public use areas. Visitation to Skiatook Lake has never approached that volume. Instead, annual visitation at Skiatook Lake has averaged slightly more than 586,000 during fiscal years 1999-2002. Cumulative impacts experienced at Skiatook Lake to date have not reached the levels originally contemplated."

If the places mentioned on page 9 have a use rate of from 90-100%, how these area experienced the cumulative impacts mentioned in the last sentence quoted from the page 26 paragraph given above? If the Skiatook Lake project anticipated more people, how is this reconciled with the 90-100 % use rate?

From: slzingerman@cox.net
Sent: Sunday, April 02, 2006 9:45 PM
To: Nolen, Stephen L SWT
Cc: krefting@peoplepc.com; msshort@direcway.com
Subject: oppose the Cross Timbers campground relocation

I am a home owner in the Beverly Hills subdivision on Georgio Drive (lot 7). The proposal locates the RV/campground on the North side of the dam in close proximity to residential homes bordering on the corps lands. My major concern is the security of the area on the corps lands. We all are very aware of the consumption of alcohol in campgrounds and the devil may care attitude to lands within the campground and the adjacent lands. I do not feel confident that adequate security will be provided to protect the homeowners properties. In addition I am concerned that additional unsightly trash will appear around the lake in addition to a higher risk of fires.

In conclusion, I do not recommend that the relocation be adopted.

Thank you for seriously considering my concerns....James Zingerman

From: Bruce Krefting [krefting@peoplepc.com]
Sent: Sunday, April 02, 2006 11:07 AM
To: Nolen, Stephen L SWT
Subject: I oppose the Cross Timbers proposal

Thanks for sending me the CD with the complete Environmental Impact statement. I OPPOSE the proposed change for several reasons:

* I don't believe this proposal has been very well presented to the Lake Skiatook area public. One ad in the Skiatook Journal may be legally sufficient but hardly allows for widespread review and discussion. As the president of the Beverly Hills Lake Estates II neighborhood of 27 property owners located close to Cross Timbers, not a single owner has told me they had seen the single ad - all were unaware of the proposed change. I met with a board member of the Santa Barbara Cove association, another nearby neighborhood on Skiatook Lake of almost 30 property owners, had also not heard of the proposal - and he was COMPLETELY AGAINST the proposal. I also think the size of this Environmental Impact document meant many could not review the proposal (rural Osage County residents around Lake Skiatook typically have just dial-up internet access. A 141-page documents is simply too big to be downloaded or viewed at 26.6K download speed. I would urge the Corp to hold a series of public comment meetings that are well advertised to truly get the feel of the local population to this proposed change.

* I am against moving the golf course to a location so far from the lake as described in the proposal (the layout is not well described in the proposal which reinforces in my mind the pending "plain-ness" of the new course). Oklahoma has many fine golf courses but few with as many beautiful lake views as promised in the original site. Moving the course away from the lake will make this course just another golf course. I prefer the numerous lake views and challenging elevation changes in the original proposal as this would make the Cross Timbers course one of the most beautiful courses in the region - perhaps the country - and be a significant boast to our local economy. The proposed change will not benefit the community anywhere near as much.

* I am against moving the campground to the north side of the dam. This change will cause security issues with campers too far from after-hours security. With the easy access from the Skiatook Point Landing road, I'm concerned about drinking campers or drinking boat landing users roaming through the Corp access without any available security. As a home owner with property adjacent to the Corp property along Skiatook Lake, I am concerned about drinking campers roaming the Corp property far beyond the Cross Timbers leased areas causing security and property destruction issues for all nearby residents. I think the State Patrol will tell you of many concerns they've had to address from drinking boaters and campers using the Tall Chief access to the lake. Security around the campground must be complete - for the benefit of the nearby property owners and the other campers.

* Finally, I oppose the proposed change based on the increased risks of fires started by campers roaming far from the leased area unsupervised. A fire started below our property in Corp land with the prevalent southerly winds this winter would have burned down my home before any fire department could have reached us. Our neighborhood in rural Osage County is served by the City of Skiatook Fire Department that must negotiate a steep climb on Highway 20 to reach our neighborhood. I estimate a single fire truck would need at least 15 minutes to reach our neighborhood, hardly sufficient as our homes are just a hundred yards from the lake edge and even less to Corp property. The fire danger alone with

our southerly winds is enough to highly recommend that the campground area MUST be kept on the south side of the dam per the original design (fires out of control there would burn themselves out when they reached the lake). The campground cabins needs to be well supervised with Cross Timbers staff and after-hours security available to ensure destructive behavior is quickly halted.

If I have sent this response to the incorrect email address, please forward it to the correct email address by the April 5 deadline.

I would also like to be put on the notification list for any future proposals that impact the Corp's property around or on Lake Skiatook.

In conclusion, I am OPPOSED to the proposed change and urge the Corp to reject it. I also recommend that any future proposed changes be better advertised to area resident with mailings and multiple ads to ensure the local neighbors are well informed.

Bruce Krefting
14389 Giorgio Drive
Skiatook, OK 74070
918-361-7338

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Golf course & campground planning at Skiatook LakeFrom: McKay, Allan B.
[Allan.B.McKay@conocophillips.com]
Sent: Monday, April 03, 2006 2:34 PM
To: Nolen, Stephen L SWT
Subject: Golf course & campground planning at Skiatook Lake

Dear Mr. Nolen,

We have been made aware there is a proposal to alter the previous agreement of February 13, 2003 and move both the golf course and camping/RV locations. This news has come as a bit of a shock, since it seems we, along with others in our Beverly Hills Phase II subdivision, were not privy to the request as is evidenced by our names not appearing in your "Cross Timbers Draft EA Final Mar2006" document (pages 29 to 31).

We have just moved to Oklahoma and built a new home on Skiatook Lake. We spent considerable time evaluating whether to build on the lake or live in Tulsa. We made the decision to have a house built on Skiatook Lake for many reasons. One reason we took into consideration was the proposed location for the approved Cross Timbers Golf course. Our feeling at the time of purchasing the property was the location of the golf course would add value to the property. We are now concerned the opposite impact on our values will occur with the replacement of a golf course with a campground.

I do not see in the EA Mar2006.pdf document any reason given to change locations of the golf course and campgrounds. The lack of clear information explaining the reason for the change makes this proposal seem like a bait and switch on the part of Cross Timbers. First they get approval for a project in 2003 and then they come back and make changes with very little notification about hearings to communities that would be impacted.

Many people have invested their savings in properties based on the existing approved development plans of the Department of the Army. A decision to allow this change to be made after so many people and developers have invested in Skiatook Lake is hardly fair or reasonable.

I would ask that you consider having a meeting so people that have a investment in Skiatook Lake properties, and would be impacted, can hear first hand why this request has been made. This meeting should also explain the potential impact a campground would have on Skiatook Point and property values nearby.

Thank you for taking time to consider these points and if you have any points of clarification, I would appreciate hearing them.

Allan McKay
ConocoPhillips
Director, Global Network Security Services
1-918-661-7965 Work or 1-832-715-2116 Cell
Internet: Allan.B.McKay@ConocoPhillips.com

Proposal by CrossTimbersFrom: Mark Schell [mark.schell@unitcorp.com]
Sent: Monday, April 03, 2006 10:25 AM
To: Nolen, Stephen L SWT
Subject: Proposal by CrossTimbers

Mr. Nolen:

I am writing to express my support for the proposal by CrossTimbers to relocate their proposed golf course as set out in the Draft EA I recently received.

As you may know, I am the Trustee of a Trust that owns 16 acres in the immediate vicinity of the recently completed CrossTimbers Marina. As a result, I am very familiar with the development activities associated with the CrossTimbers operations as well as its impact on the surrounding area. I believe that this development, including that proposed in the Draft EA, is a much needed step to further the public's use and enjoyment of Skiatook Lake.

If you have any questions regarding my support for the project, please feel free to contact me.

Mark E. Schell
Senior Vice President and General Counsel
Unit Corporation
7130 South Lewis, Suite 1000
Tulsa, Oklahoma USA 74136
E-mail: mark.schell@unitcorp.com
Telephone: 918-493-7700
Facsimile: 918-496-6302
Mobile phone: 918-691-5222

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From: Yandell, Glenn [Glenn.Yandell@bakerpetrolite.com]
Sent: Monday, April 03, 2006 8:09 AM
To: Nolen, Stephen L SWT
Subject: Golf course & campground planning at Skiatook Lake

Dear Mr. Nolen,

I own a house on Giorgio Drive overlooking Skiatook Lake. I was recently notified by members of our home owner's association that the Corps might make siting changes for a previously approved golf course and a campground in the Tall Chief Cove/Skiatook Point area. Because all major developments within a few miles of our property could have an impact on both our property values and our quality of life, I request that this issue be given proper scrutiny before any changes are approved. I intend to live in my Skiatook Lake home until I die, so these issues are certainly of interest to me!

In order to insure that all concerned parties have a voice in proposed Corps supervised or approved developments, I think it would be best to hold a public, open meeting to advise property owners of the development plans and to give them information of the time line for the proposed developments. Following this information sharing meeting, it could be decided whether or not there is enough public concern to hold additional meetings in which interested parties would have an opportunity to voice their support or objections to the plans.

I appreciate your consideration of this request for an informational meeting, Mr. Nolen. If you have any further information you wish to share with me, please use the contact information below.

Glenn D. Yandell

Maintenance Manager

Baker Petrolite Corporation

800 Birch Lake Road

Barnsdall, OK 74002

Office - 918-847-2522 ext. 209

Fax - 516-213-7388

Mobile - 918-724-5481

email - glenn.yandell@bakerpetrolite.com

From: DPKENDALL@aol.com
Sent: Monday, April 03, 2006 8:08 AM
To: Nolen, Stephen L SWT
Subject: Plans for Skiatook Lake

Dear Mr Nolen,

We, along with others in the Beverly Hills neighborhood, are very concerned about the possibility of changing the camp grounds to this side of the lake, and the golf course to the other side.

I do know that Bruce Keeling sent you a letter stating the reasons why, and we are totally in agreement with him.

We were concerned that you decided to lease the land for \$1 in the first place, but now things have changed from the first plan and we feel that the neighbors should be concerned, and it should not be all one sided on behalf of Cross Timbers.

Please give our thoughts some consideration.

Thanks so much,
David and Debbie Kendall
14390 Giorgio Drive
Skiatook, OK 74070-1250
918-396-2251

April 2, 2006

Mr. Stephen L. Nolen
Chief, Environmental Analysis and Compliance Branch
U.S. Army Corps of Engineers
Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Dear Mr. Nolen:

With all due respect for the U. S. Army Corp of Engineers for all their tremendous work across the Nation and the City of Skiatook, which umbrellas SEDA under the Town of Skiatook, I would like to submit the following comments and observations in reference to the CrossTimbers Development Environmental Assessment dated March 20, 2006.

Some items of significantly troubling nature occur to me:

1. The apparent fast tracking, carte blanche authority to operate granted to StateSource Limited Liability Corporation with blanket "Finding of No Significant Impact." The ability to change plans/uses at will. "Rubber stamping" these leases, assessments, rezonings, mitigations and deviations. Due process?
2. The lack of independent, comparable assessments. On or around March 1, 2006, I contacted the Tulsa Corps Office for information on the project. I was referred to Mr. Harris. Mr. Harris informed me that if I wanted information on the project, I would need to go through StateSource or make the request through their office using the Freedom of Information Act. He informed me there was a new EA due out around March 15th and promised me a copy of the EA when it came out in draft form. On March 22nd, I called Mr. Harris back again and told him I had not received a copy despite the fact that they were out and others had received theirs. Mr. Harris relayed that the applicant distributed the assessment. He again promised to see that I got one that afternoon, but to date I have not received such. Puzzling concerning the response deadline of April 5, 2006, to the Corps Office, not the applicant.
3. The lack of public input on all matters since the beginning of the project other than controlled, orchestrated "forums" including this assessment, the distribution thereof and deadlined responses.
4. No standards for/need/use/development/assessment/short and long-term maintenance, privacy, and/or security of 5 or 6 miles "interpretative hiking trails."

5. Lack of contact of adjoining landowners as referred to in attached Corps CrossTimbers website message. Only adjoining landowners whose land the project wished to purchase for housing development, etc. were contacted. Trails were moved from shoreline and bulldozed in without contact or input.

6. What is most troubling is the high-density development in a concentrated area of the lake and the effects on the lake. Personal observation from several years' use of the lake and living in the area seems as though since the project began, pleasure craft on the lake have increased three-fold or so. Most significantly, last summer with bigger, faster boats and jet skis. By the time traffic increases another three times, it will be too late to deal with and/or reverse. This seems due to a relatively small desirable lake located near a large city. The public was coming to this lake in increasing numbers with or without this project. I've seen lakes in California when we went water-skiing in the 1960s where boats were directed in circular patterns on the lake with restricted areas and speed limits.

Of a larger concern is the pollution of the lake and the environment. At loose count (East Ridge Estates, CrossTimbers, Catalina Cove, and a new development on the other side of Lake Road), there are some 400 housing lots with more planned. Then you have the camping areas of Tall Chief and CrossTimbers all along the shoreline to the dam and Skiatook Point development on the other side. The village with all of its amenities (cabins, restaurants, shops, conference centers, repair shops, docks, chapel, cottages, lodging (?), etc.) then throw in the golf course. I have trouble understanding "No Significant Impact" in significant areas. With tarantulas, scorpions, brown spiders, ticks, mosquitoes, etc, etc, and lawn/shrubs/flowers at all these places, the insecticide/fertilizer runoff, combined with soil erosion, all into the immediate concentrated area of the lake. I just wonder. Sediment and nutrient levels are bound to suffer. Some of our most treasured lakes in the country are scrambling to reverse effects of these and other facets of rapid development over the past 50-70 years (the effective time of the lease).

Many resort projects on many Oklahoma lakes have been enthusiastically introduced in the last 50-60 years. Many, if not all, have at some time fallen on hard times, and many have gone into receivership—ending up run down or an eyesore to the community, looking for investors to come in and reinvigorate the concept. Things easily done can be difficult/impossible to undo. Here we go again at Lake Texoma with a similar project to invigorate a park/resort with a more accurate reported figure of \$350 million than the Skiatook Project's reported \$10 million. Their golf courses are already in place. With the rotation of officers/personnel in agencies from the bottom to the top spots every few years (2 district commanders at the Corps, 4 SEDA chairmen since the beginning of the CrossTimbers project and similarly up the chain of command) coupled with the LLC status of the private principal involved makes for changing levels of commitment/priorities/support. However, ultimate responsibility/liability does not change. SEDA's liability can't afford much of a challenge with an annual grant budget of \$1,300. An LLC can always cut their losses and run. Announced budget cuts and reduction of local Corps office staff at Skiatook Lake are a concern.

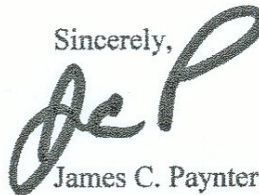
"Finding of No Significant Impact" begs significant difference of opinion as significant impact is already felt with the sacrifice of the most pristine cove with visible natural flooded

timbers, wildlife habitat, and assessable photogenic, panoramic views of the entire southeastern end of Skiatook Lake from Lake Road. Considered by any who have seen it as one of the most beautiful lakes they've seen. I know from experience, in many states, the aesthetic and historical value to tourism makes it illegal to cut/"chainover" these timbers. In the 1970s outside Anchorage, Alaska, we raised the ire of the Dept. of Tourism, Parks and Recreation by cutting a dead standing flooded timber for firewood. Holy Smokes! In the recent past, I know of the lake Corps office threatening a \$2,000 fine for cutting a single oak sapling in the pictured real cross timbers on the leased land. Now it needs to be over 200 years old to be safe! How priorities fluctuate. The cove was traded off for boat docks and a public, private, privately funded and operated, gated community. This permanent loss of this scenic public cove, like the loss of a life, cannot be mitigated. These docks are placed in a historically vulnerable and aptly named Tornado Cove. Doesn't the EA refer to 100 slips in the docks, artist's rendering showed 9 slips in the newspaper? Aren't there 400/500 slips there now? Plans to double that?

I suggest leaving the golf course in the original location that was proposed to the public before signing the lease. It is more assessable to the town of Skiatook and has nice views of the lake. By moving the campgrounds to the other side of the dam, campers are banished from the village, the boat docks and nearby swimming. Boat launch from Skiatook Point is difficult at best on a calm day, much less a frequent windy day. Put the public trail from Skiatook Point around in front of Beverly Hills and through the Crystal Bay Marina area. I am certain these areas would appreciate some of the developing as well as drawing from Skiatook/Hominy and North.

I am not presently opposed to the project. I am cautiously optimistic about it. I support planned, lasting, shared community growth. Some of the work to date on the project is of a quality nature. However, I also find some of the aspects of development notably questionable and rather unsettling. There seems to be uncontested authority to make changes and rubber stamp them, and proceed with reckless abandon.

Sincerely,

A handwritten signature in dark ink, appearing to read 'JCP', written over the typed name.

James C. Paynter, Jr.
Homeowner, East Ridge Estates

Attachments (color photos of public view from Lake Road of Tornado Cove before (with real cross timbers)/after project started (with man made CrossTimbers); Corps CrossTimbers Project web page article referencing contact of adjoining landowners never made)

[Back](#)

U.S. Army Corps
of Engineers

Skiatook Lake - Pilot Lakes Demonstration Program

Crosstimbers Project

Background

The Skiatook Lakes Demonstration project is part of the Corps of Engineers' response to the President's blue-ribbon panel appointed in 1998 to conduct the national recreation study.

The district recommended the Skiatook Lake for inclusion in the national demonstration program because of its undeveloped recreation potential. Through the program, the district could move forward to identify sponsors who would be willing to make the financial investments necessary to bring new and improved recreation opportunities to the lake.

The **Draft Environmental Assessment** was submitted on May 28, 2002 for internal review and comments. Comments were provided to Skiatook Economic Development Authority (SEDA) for preparation of the final draft EA that was coordinated with appropriate agencies and made available for public review and comments.

Dr. Henry, Tulsa University, submitted the draft Cultural Survey Report on May 13, 2002. The report was reviewed by Tulsa District's Planning Environmental and Regulatory Division. It was submitted to State Historic Preservation Office (SHPO) for comments.

A public workshop was conducted by SEDA on May 15, 2002 to provide public opportunity to discuss the proposal. Adjacent property owners and community leaders were contacted about the project. Results were mostly positive. SEDA received several letters of support from various state and local sources. A letter from Governor Keating expressed his enthusiasm for the lease.

The application for recreation lease was submitted by SEDA on May 15, 2002. Conditions were within the district's authority and did not require waivers. Parallel reviews were performed by District elements to reduce overall review timeframes.

*Community
Leaders (?)
maybe
Adjacent
Property owners
Not No Recreational
Note
"Contacted"*

Record of News Coverage

Project Status and Activities

On February 18, 2003 the district commander, COL Robert Suthard, Jr., announced in a news release that a Finding of No Significant Impact was signed on February 13, 2003. The document's signing came at the conclusion of the environmental analysis process that included consultation with the Quapaw and Osage Tribes regarding culturally significant artifacts and areas. That consultation removed certain lands from the lease and ensured future protection and maintenance.

Note: The Environmental Assessment for the Crosstimbers Project at Skiatook Lake follows:

FINDINGS OF NO SIGNIFICANT IMPACT (FONSI) FOR CROSSTIMBERS PROJECT AT SKIATOOK LAKE,

OKLAHOMA — (Note: This links to the entire 345 page report in PDF format, 18.452KB. The following links are for individual sections of this report.)

The National Recreation Lakes Coalition Home Page

"Washington, D.C. - Legislation to enhance greatly the recreational opportunities at hundreds of man-made, federally-managed lakes was introduced by U.S. Senator Blanche Lincoln (D-AR) and U.S. Representative Nathan Deal (R-GA) on March 14. The National Recreation Lakes Act of 2001 notes that nearly 1,800 lakes created by federal dams draw almost one billion recreation visits annually, prompt more than \$44 billion in recreation spending and, even more importantly, deliver countless treasured family memories. The legislation would increase these benefits significantly."

"The legislation reflects findings and recommendations resulting from the National Recreation Lakes Study Commission, created by Congress in

<http://www.swt.usace.army.mil/library/Skiatook%20-%20Pilot%20Lakes%20Demonstration%20Program/...> 3/8/



From: Ron Miller [ron_miller@swbell.net]
Sent: Tuesday, April 04, 2006 9:04 AM
To: Nolen, Stephen L SWT
Subject: Environmental Assessment

Proposed relocation of the CrossTimbers Golf Course.

As a resident who has lived in the Beverly Hills Development on Lake Skiatook for the past 6 years, I strongly agree with the move of the CrossTimbers Golf Course from Skiatook Point area to the Tall Chief Cove area.

I believe that CrossTimbers is developing a first class resort on Lake Skiatook and keeping the Golf Course together with the rest of the development is a very positive move. With the addition of the new McGill's restaurant, Cottages, expanded Marina, and the upcoming Village area, CrossTimbers is creating one of the finest facilities in Oklahoma.

Also, creating more camping area at the Skiatook Point Ramp will be very beneficial to the Lake, which for the past several years has seen the two main camping facilities completely full during the summer season .

This is exactly what the area North of Tulsa has needed for several years and CrossTimbers is doing an excellent job to enhance the whole area.

Ron Miller
14655 Tiffany Lane
Skiatook, Ok 74070



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April 4, 2006
TJA-06-022

Mr. Stephen L. Nolen
Chief, Environmental Analysis and Compliance Branch
U.S. Army Corps of Engineers (USCOE), Tulsa District
1645 S. 101st East Avenue
Tulsa, OK 74128

**Re: Comments on the Proposed Relocation of Golf Course and Camping/RV Area
CrossTimbers Development Project
Skiatook Lake, Osage County, Oklahoma**

Dear Mr. Nolen:

I appreciate the opportunity to provide comments to you and USCOE regarding the proposed relocation of the golf course and Camping/RV area at CrossTimbers. Prior to providing my comments, however, I feel that it is both pertinent and appropriate to provide you with a summary of my academic and professional background.

Academically, I completed my Bachelor of Science Degree in Geology from Oklahoma University (OU) in 1979. I received a Hydrology Certificate from Oklahoma State University (OSU) in 1989. I received a Master's Degree in Civil Engineering (MSCE) from OSU in 1996. I completed my Doctorate of Philosophy (Ph. D.) in Environmental Science from OSU in 1999. I convey this background information to you because my doctoral research and dissertation is quite relevant to the golf course.

Professionally, while taking graduate courses at night, I worked for 2 environmental engineering consulting firms here in the Tulsa area. Upon completing my studies, I started my own consulting firm and have been working in that capacity since March 2000.

In addition to providing consulting services, I am an Adjunct Professor in the Geoscience Department at Tulsa University (TU) where, for 4 years, I taught night courses in Hydrology and Hydrogeology (GEOL 4513, GEOL 6513). I am scheduled to co-teach a new course this Fall Semester at TU.

Due to its relevance, please allow me the opportunity to re-address my doctoral work. The title of my dissertation is, ***"An Evaluation of Management Strategies for a Nursery Irrigation Recycling System Designed for Pollution Control"***. My research consisted of evaluating the design efficiencies of eight (8) catch basins and retention ponds at Greenleaf Nursery in Eastern Oklahoma. Greenleaf Nursery was then and is still the largest potted plant nursery in the State (~800 acres). As you may know, the nursery is located on a hill immediately adjacent to the Illinois River (which is designated as a Scenic River) and the northern portion of Lake Tenkiller. The nursery applies large amounts of concentrated time-

release (osmocote) nitrogen, phosphorus, and potassium (N-P-K) fertilizers to the plants via direct application of solid pellets and dissolved in sprinkler irrigation systems. As such, the owners of Greenleaf were concerned about the fate, transport, and adverse affects of those nutrients to receiving receptors.

For ~1 year, I sampled and analyzed surface/runoff water from the following areas at Greenleaf: (i) “inflow” water that flowed from the container fields to the retention lagoons, (ii) water contained in the retention lagoons and (iii) “outflow” water that flowed from the retention lagoons to adjacent water bodies. About half of all surface water samples were collected during or immediately following rainstorm events. As such, I was able to evaluate and determine which retention pond parameters (i.e. design, type of construction, depth, geometric shape, holding capacity, etc) captured and contained the greatest concentration of nutrients and, thus, provided the greatest amount of protection to the receiving water bodies. To summarize, past academic research has provided me with significant insight on how to build retention lagoons that afford the greatest protection to adjacent water bodies from N-P-K enriched runoff waters.

Based on my involvement and recent completion of this project's Environmental Assessment (EA), combined with my current professional relationship with the developers of the CrossTimbers Project and the USCOE, it is anticipated that I will be retained by StateSource in the near future to apply my “knowledge of the science” and assist them with the design and construction of retention ponds that will protect Skiatook Lake from golf course nutrient runoff. I further anticipate my direct involvement regarding the preparation and implementation of the Environmental Management System (EMS), which is incorporated with the subject lease. Among other pertinent issues, the EMS will provide assurance of the lake's protection via the Corp's approval process of the course design prior to its construction.

I have already met Mr. Randy Heckenkemper, the golf course designer. I am aware that he has significant experience with designing golf courses next to lakes and other “sensitive receptors”. I understand that Mr. Heckenkemper has, in fact, recently designed and built a golf course on a Corp lake (reference Chickasaw Pointe on Lake Texoma).

I am also aware that Dr. Stahle from the University of Arkansas recently conducted a walkover and survey of both Skiatook Point and Tall Chief Cove. It is my understanding that Dr. Stahle was concerned about several issues regarding the construction of the golf course at Skiatook Point, including but not limited to potential impact to a greater number of ancient timbers, the general presence of a thin veneer of native soils due to rock outcroppings at or near the surface, and a logical expectation of stunted growth of fairway and putting green grasses. Pursuant to his findings, Dr. Stahle concluded that the proposed golf course should be relocated to the Tall Chief Cove area and the Camping/RV facilities be placed at Skiatook Point. It goes without saying that that is an important conclusion.

To summarize, it appears that there are numerous positive environmental aspects regarding the construction of the golf course at Tall Chief and the placement of camping facilities at Skiatook Point. As such, it is my recommendation that the USCOE approve the proposed relocation.

Thanks again for the opportunity to provide my thoughts on this matter.

Sincerely,

ALEXANDER CONSULTING, INC.

A handwritten signature in black ink that reads "Dr. Thomas J. Alexander". The signature is written in a cursive style with a large, stylized "A".

Thomas J. Alexander, Ph.D., P.G.
President

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DEPARTMENT OF WILDLIFE CONSERVATION

P.O. Box 53465

Oklahoma City, OK 73152

PH. (405) 521-3851

April 2, 1006

Colonel Miroslav P. Kurka
Us Army Corps of Engineers
1645 South 101st East Ave.
Tulsa, Oklahoma 74128-4609

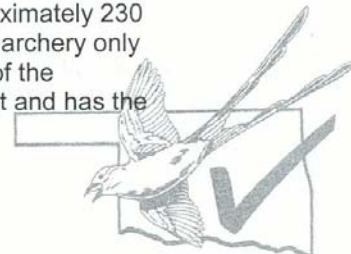
Re: Cross timbers Development Relocation Draft Environmental Assessment

Dear Colonel Kurka,

This is in response to the Crosstimbers Development Relocation Draft Environmental Assessment (Draft EA). The Crosstimbers development site is on US Army Corps of Engineers (COE) property at Skiatook Lake in Osage County, Oklahoma. The development is proposed by Skiatook Economic Development Authority (SEDA) and StateSource, LLC (StateSource) and involves the COE leasing 643 acres at Skiatook Lake to SEDA and StateSource for development of various projects including a golf course, RV parking, camping areas, cabins, a conference center, marina, roads, restrooms, utilities, and parking lots. The Oklahoma Department of Wildlife Conservation (ODWC) comments are submitted in collaboration with the US Fish and Wildlife Service (USFWS). Therefore, the USFWS response reflects the ODWC position on this matter.

Due to the short response time for this Draft EA, the ODWC has not had the opportunity to consider all impacts as a result of the proposed development. However, the ODWC has collaborated with the USFWS and consulted with other divisions in the agency to arrive at a set of comments that reflect the position of the ODWC. Most of the comments submitted address terrestrial impacts; however, this does not preclude impacts to aquatic life.

The proposed development will result in the loss of approximately 230 acres of land due to alterations of public lands and 200 acres of archery only hunting. In addition, fragmentation is likely to occur as a result of the development. The ODWC is concerned about the loss of habitat and has the following recommendations:



1

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The COE should open the Hominy Landing park (150 acres) to archery only or shotgun with pellets hunting to offset the loss of 200 acres of archery only hunting opportunity at the dam

-Hominy Landing is an access point only park with a boat ramp and two pit toilets. Since it is lightly used during the hunting season, user conflict should not be an issue. There is very little residential development on adjacent private lands (3 houses within 1 mile) and the WMA lies on three sides of the park. This limited hunting arrangement works well at access point type parks (i.e., Keystone-Cowskin north/Pawnee cove north-both are open to archery and shotgun w/pellet).

-Since the eastern portion of Twin Points and the Gouin point are currently already open to hunting, the change in land designation will not result in an increase in hunting as cited on page 26/27. A change in designation would increase the protection level for future development.

The COE should add Twin Points and the Gouin park lands to the ODWC license area to provide maximum protection of the public lands from future private development.

OR

provide stronger language as part of the EA that if the Twin Points/Gouin lands are developed in the future, mitigation will be provided in the form of land purchase

The COE should fund habitat management projects as part of project mitigation on Twin points/Gouin park lands.

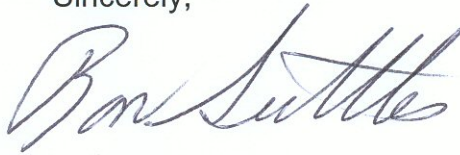
-Funding for development of firebreaks and implementation of a burning program at Gouin park and to enhance burning activities at Twin points will help maximize the quality of habitat available at these sites. These park areas are some of the few lands on the lake that contain enough acreage to effectively manage the habitat with prescribed burns. Increasing the quality of the available habitat will mitigate for the loss as a result of the crosstimbers development project.

-Language pertaining to funding for habitat management should be included in the Draft EA. This language will prioritize the funding and the execution of the prescribed burning projects in the future. Gouin park could easily be burned if an east west firebreak was

constructed along the boundary. Burning is warranted in Gouin park because of the closed canopy post oak timber.

Thank you for the opportunity to provide comments on the above mentioned development project. The ODWC feels that Skiatook COE personnel have managed the habitat well and maximized public hunting opportunities. The ODWC further believes that the COE has a strong interest in natural resource conservation and public hunting and will consider the above recommendations accordingly. If you should have any questions, please feel free to contact Ferrella March with the Natural Resources Section at 405-521-4663 or Jeff Pennington with Wildlife Division at 918-629-4625.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron Suttles". The signature is fluid and cursive, with the first name "Ron" being more prominent than the last name "Suttles".

Ron Suttles
Natural Resources Section Coordinator

cc: Alan Peoples
Kevin Stubbs

James L. Pardee
11658 Santa Cruz Dr.
Skiatook, Ok. 74070
918 396-7865

April 4, 2006

Attn: Stephen L. Nolen
Subject: Cross Timbers Proposal

Dear Sir,

We live in Santa Barabara Cove and are opposed to changing the campground location to the north side of the dam. We all built very nice homes and would not like the looks and possible security problems associated with the new location. We would encourage an extension of 30-60 days for more homeowners to review the proposal and be able to present their comments.

As President of Santa Barbara Cove Homeowners Association I also represent the wishes of all our homeowners.

Thank you.

Respectfully submitted,


James Pardee



In Reply Refer To:
FWS/R2/OKES/
2006-I-0031

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Division of Ecological Services
222 South Houston, Suite A
Tulsa, Oklahoma 74127
918/581-7458 / (FAX) 918/581-7467



April 3, 2006

Colonel Miroslav P. Kurka
Corps of Engineers
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4609

Dear Colonel Kurka:

Thank you for providing the Crosstimbers Development Relocation Draft Environmental Assessment (Draft EA) for our review. The CrossTimbers development site is on U.S. Army Corps of Engineers (Corps) property at Skiatook Lake in Osage County, Oklahoma. The development is proposed by Skiatook Economic Development Authority (SEDA) and StateSource, LLC. (StateSource). The project entails SEDA and StateSource leasing 643 acres of Corps land at Skiatook Lake for development of various projects including a golf course, RV parking, camping areas, cabins, a conference center, marina, roads, restrooms, utilities, and parking lots. The U.S. Fish and Wildlife Service (Service) comments are submitted in accordance with section 7 of the Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), National Environmental Policy Act (NEPA), and the Fish and Wildlife Coordination Act (FWCA).

The Corps initially completed the existing Environmental Assessment (EA) for this project in 2003, but proposed changes in project plans (primarily relocating the golf course and campgrounds) required preparation of a new EA. The Service previously provided comments addressing the existing EA in our August 21, 2002, letter and addressed potential impacts to the American burying beetle *Nicrophorus americanus* (ABB) in a January 4, 2006, letter to the Corps.

GENERAL COMMENTS

A 15 day comment period is exceptionally short and does not allow adequate time for the Service to consult with other agencies to provide coordinated comments under our FWCA authorities. Also, this short comment period is generally not conducive to obtaining meaningful public involvement in the NEPA process and leaves the impression that the Corps is purposely trying to minimize public comment on the issue. Most Draft EAs for actions of this magnitude have a minimum of 30-60 days for public review.

THREATENED AND ENDANGERED SPECIES

The Service supports implementation of the proposed standardized protocol for avoiding or minimizing any adverse impacts to the ABB. However, this protocol appears to be contained in Appendix A, not Appendix B, as stated under the heading "7. Threatened and Endangered Species" on page 21. The standard protocol initially involves ABB surveys to determine their presence or absence at the project site. Bait away or trap and relocate measures are incorporated if ABBs are determined to be present. An ABB monitoring plan with more details (numbers and locations of trap sites) for proposed surveys should be provided as soon as possible for our review. The Service agrees that all other federally-listed species are unlikely to be affected by the proposed development.

MITIGATION

Aquatic

The proposed mitigation for aquatic impacts near the Marina should include provisions for maintaining brush piles at locations that are accessible to the general public and not just limited to the leased dock area. Brush piles should be replenished annually with new material.

Terrestrial

The proposed mitigation fails to provide habitat improvement (relative to existing conditions) or replacement of lost habitat values due to project impacts. The proposed action would permanently impact at least 166-230 acres of terrestrial habitat. Converting the cross timbers forest and prairie habitat to roads, buildings, and a golf course would be a long term impact that would reduce or eliminate habitat for most native wildlife currently utilizing the property. The proposed mitigation would reclassify existing Corps lands at Gouin Point and Twin Points, from recreation to wildlife management general. Reclassifying existing Corps lands can be considered mitigation only if there is some proposed development at the mitigation sites that would be canceled or altered due to the reclassification. The Service is unaware of any proposed projects at the mitigation sites. The proposed action with mitigation appears to be a net loss in habitat quantity and quality. This loss would be contrary to the spirit and intent of the FWCA. Existing federal lands at Skiatook Lake were set aside to offset impacts to fish and wildlife resources from the original construction of the reservoir.

The Service could support the proposed mitigation with additional conditions. The mitigation should include:

1. Active management to actually improve and maintain habitat values at both Gouin Point and Twin Points.
2. The mitigation lands should be added to the Oklahoma Department of Wildlife Conservation (ODWC) lease for the Skiatook Wildlife Management Area.
3. Hunting (at least archery/shotgun with pellets) should be allowed at the Hominy Landing recreation area to mitigate for the development-related loss of hunting opportunities.

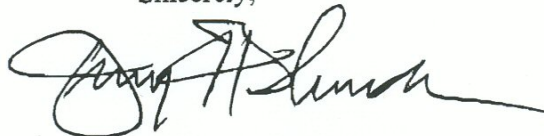
The Corps should prepare a wildlife management plan for implementing habitat improvement at the reclassified areas. This wildlife management plan should be coordinated with, and approved by, the ODWC. The Corps has been implementing some wildlife management at Twin Points and this should be expanded to include Gouin Point. We appreciate the Corps past efforts to manage for wildlife on the Skiatook Project lands, but we realize that these types of actions are frequently cut in times of reduced budgets. All wildlife management activities on these areas should be considered a mitigation requirement and implemented or funded by the Corps for the life of the CrossTimbers lease.

Adding the mitigation lands to the ODWC lease would provide even more protection from future development threats than the proposed reclassification. We have seen several examples (including this proposed action) of Corps lands being reclassified to allow development on lands that were not classified for that use. Reclassifying the land does not appear to provide much protection from any future development proposals at Twin Points and Gouin Point.

The Service is generally not opposed to such developments if adequate mitigation with true replacement of habitat values is provided. However, in recent years the Corps has opposed Service recommendations to actively manage lands to replace the habitat values lost at the developed lands. Land sales and developments at Hugo Lake and Lake Texoma have occurred, or are proposed, with virtually no mitigation. The cumulative effect of large and small developments at all Corps projects has resulted in a relatively gradual, but significant, loss of fish and wildlife habitat and recreational value related to those resources. More quantifiable measures to provide actual mitigation (such as those implemented through the Habitat Evaluation Procedures for the recent Arkansas River Navigation Project) should be incorporated for proposed developments on Corps lands.

We appreciate the opportunity to review the proposed the Draft EA and provide comments. Please contact Kevin Stubbs at 918-382-4516 if you have any questions related to our comments.

Sincerely,



Jerry J. Brabander
Field Supervisor

cc: Director, Natural Resources, Fisheries, and Wildlife Sections, ODWC, Oklahoma City, OK

From: Bruce Krefting [krefting@peoplepc.com]
Sent: Wednesday, April 05, 2006 10:43 AM
To: Nolen, Stephen L SWT
Subject: Further neighborhood review needed on Cross Timbers proposal to relocate the golf course and camping / RV area

As a nearby resident, I have already responded with my opposition to the Cross Timbers relocation proposal and the Corp's draft environmental assessment (see my original email below). Now, as President of the Beverly Hills Lake Estates II Property Owners Association, I strongly urge you to postpone any decision for 30 to 60 days to allow for a formal review meeting by the effected neighbors of Cross Timbers.

In my research I have only found one other person in my neighborhood of 27 homes and lots owners that was aware of the Cross Timbers proposal (and he is opposed to the proposal). And, after meeting with a Director of the adjacent neighborhood, Santa Barbara Cove, with 30 homes and lots, I found he was unaware of the proposed change and also opposed to the Cross Timbers relocation proposal. On behalf of the Santa Barbara Cove Homeowner's Association's, Jim Pardee has written you with their opposition to the Cross Timbers relocation proposal and asking for more time before a decision is made by the Corp.

Our two neighborhoods represent 2 of the closest developments to the Cross Timbers leased land - each less than 2 miles away. Our combined membership of almost 60 residents and owners make us by far the largest block of nearby neighbors to Cross Timbers. Because both neighborhoods are so close to Cross Timbers, their relocation proposal does impact us.

With so many owners of the most impacted neighborhoods completely unaware of the Cross Timbers relocation proposal, it's clear that the Corp needs to allow more time to communicate the proposal and hear from the nearby neighbors.

Joining with the Santa Barbara Cove Homeowner's Association, the Beverly Hills Lake Estates II Property Owners Association also urges the Corp to postpone any decision to allow time for a meeting of the impacted nearby residents so they can hear the proposal and have our questions addressed.

Thank you.

Bruce KreftingPresidentBeverly Hills Lake Estates II Property Owners Association14389 Giorgio DriveSkiatook, OK 74070918-361-7338 -----
Forwarded Message-----From: Bruce Krefting <krefting@peoplepc.com>Sent: Apr 2, 2006 12:07 PMTo: Stephen.L.Nolen@swt03.usace.army.milSubject: I oppose the Cross Timbers proposalThanks for sending me the CD with the complete Environmental Impact statement. I OPPOSE the proposed change for several reasons:

a.. I don't believe this proposal has been very well presented to the Lake Skiatook area public. One ad in the Skiatook Journal may be legally sufficient but hardly allows for widespread review and discussion. As the president of the Beverly Hills Lake Estates II neighborhood of 27 property owners located close to Cross Timbers, not a single owner has told me they had seen the single ad - all were unaware of the proposed change. I met with a board member of the Santa Barbara Cove association, another nearby neighborhood on Skiatook Lake of almost 30 property owners, had also not

heard of the proposal - and he was COMPLETELY AGAINST the proposal. I also think the size of this Environmental Impact document meant many could not review the proposal (rural Osage County residents around Lake Skiatook typically have just dial-up internet access. A 141-page documents is simply too big to be downloaded or viewed at 26.6K download speed. I would urge the Corp to hold a series of public comment meetings that are well advertised to truly get the feel of the local population to this proposed change.

b.. I am against moving the golf course to a location so far from the lake as described in the proposal (the layout is not well described in the proposal which reinforces in my mind the pending "plain-ness" of the new course). Oklahoma has many fine golf courses but few with as many beautiful lake views as promised in the original site. Moving the course away from the lake will make this course just another golf course. I prefer the numerous lake views and challenging elevation changes in the original proposal as this would make the Cross Timbers course one of the most beautiful courses in the region - perhaps the country - and be a significant boast to our local economy. The proposed change will not benefit the community anywhere near as much.

c.. I am against moving the campground to the north side of the dam. This change will cause security issues with campers too far from after-hours security. With the easy access from the Skiatook Point Landing road, I'm concerned about drinking campers or drinking boat landing users roaming through the Corp access without any available security. As a home owner with property adjacent to the Corp property along Skiatook Lake, I am concerned about drinking campers roaming the Corp property far beyond the Cross Timbers leased areas causing security and property destruction issues for all nearby residents. I think the State Patrol will tell you of many concerns they've had to address from drinking boaters and campers using the Tall Chief access to the lake. Security around the campground must be complete - for the benefit of the nearby property owners and the other campers.

d.. Finally, I oppose the proposed change based on the increased risks of fires started by campers roaming far from the leased area unsupervised. A fire started below our property in Corp land with the prevalent southerly winds this winter would have burned down my home before any fire department could have reached us. Our neighborhood in rural Osage County is served by the City of Skiatook Fire Department that must negotiate a steep climb on Highway 20 to reach our neighborhood. I estimate a single fire truck would need at least 15 minutes to reach our neighborhood, hardly sufficient as our homes are just a hundred yards from the lake edge and even less to Corp property. The fire danger alone with our southerly winds is enough to highly recommend that the campground area MUST be kept on the south side of the dam per the original design (fires out of control there would burn themselves out when they reached the lake). The campground cabins need to be well supervised with Cross Timbers staff and after-hours security available to ensure destructive behavior is quickly halted.

If I have sent this response to the incorrect email address, please forward it to the correct email address by the April 5 deadline.

I would also like to be put on the notification list for any future proposals that impact the Corp's property around or on Lake Skiatook.

In conclusion, I am OPPOSED to the proposed change and urge the Corp to reject it. I also recommend that any future proposed changes be better

advertised to area resident with mailings and multiple ads to ensure the local neighbors are well informed.

Bruce Krefting14389 Giorgio DriveSkiatook, OK 74070918-361-7338

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From: Ladd Drummond [ldrummond@drummondbranch.com]
Sent: Wednesday, April 05, 2006 11:28 PM
To: Nolen, Stephen L SWT
Subject: Skiatook lake golf course

Mr. Nolen:

My brother and I are longtime landowners in the Skiatook Lake area, My great grandfather bought some of the land we currently own in 1915. Although we sold some of that to the Corp of Engineers for the lake we have also added some other land thru the years. Currently we own approximately 480 acres that joins the lake or corps property.

I just wanted to drop you a note to say that we are in support of moving the golf course to the Tallchief cove area.

Thank You,

Ladd Drummond

From: Harris, Karen [kharris@hollandhall.org]
Sent: Wednesday, April 05, 2006 12:35 PM
To: Nolen, Stephen L SWT
Subject: Skiatook Cross Timbers Resort Environmental Assessment

Dear Sir:

I recently found out about the development on the shores of Skiatook Lake. As a citizen of the United States and the State of Oklahoma, I have a few concerns and questions about the environmental assessment.

1. I understand that the original environmental assessment in 2003 generated considerable public comment and yet the comment period for this e.a. was reduced to 15 days. Why the rush? Is it possible to extend this period?

2. I understand that the ancient crosstimbers and prairie ecosystems have been drastically reduced in size and that this development would further reduce both systems. The EA reports that the the ancient crosstimbers forest encompasses only 162 square miles (an area about the size of the city of

Tulsa) I also know that Nature Conservancy research shows that conservation of these two ecosystems requires regional management. Neither crosstimbers

nor prairie can be conserved by maintaining a few preserves. I am familiar

with the Nature Conservancy's Cross Timbers Preserve near Keystone Lake. It is my understanding that biologists have only begun to assess the Cross Timbers community and they do not yet know what organisms may be a part of this very rare ecosystem. Even the EA states that "little is known about the bird communities in these ancient forests". Do we know if there are threatened or endangered neotropical migrants nesting there? I'm pretty sure they will not nest on a golf course. Even my beginning ecology students know that reduced populations of organisms are most often caused by reduction in their habitat. To say that this development will have no significant impact on population trends is reckless at best. I am concerned that the Corps is willing to "lease", for \$0, public property to a municipality, which in turn will sublease to a PRIVATE company, when you have little idea what the public will be losing. Why is this proposal the preferred alternative? As I understand it, the only other alternative presented was a simple switch in locations of a golf course and a campground. How do you know the benefit of the development will outweigh the cost when we have yet to determine the ecological cost?

3. Where is the analysis of the impacts of pesticides and fertilizers on the water quality of Skiatook Lake? The management plan is not sufficient for the purposes of informing the public and for arriving at a Finding of No Significant Impact. In fact, the management plan calls for growing ferns, poplars, and cottonwoods to catch the nutrients before they enter the lake.

Anybody involved in the management plan know what species of ferns can survive in the understory of the crosstimbers? Can the developers guarantee that poplars and cottonwoods can survive?

4. Is the proposed mitigation sufficient? Changing the designation of a third area does not seem to me to make up for losing two other areas. Is crosstمبر habitat actually present at Gouin Point?

5. How do I know that StateSource will be a good steward of the land? What incentive do they to be good stewards of federal land? A flawed environmental management plan cannot substitute for appropriate NEPA reporting.

6. I firmly believe the Corps should do more work, including a full environmental impact statement before proceeding with this project.

Thank you,

Karen Harris
Biology/Ecology teacher, Holland Hall School

From: Gary [SStation@cox.net]
Sent: Wednesday, April 05, 2006 2:25 PM
To: Nolen, Stephen L SWT
Subject: Crosstimbers golf course relocation

Mr. Nolen:

As a property owner and future resident of Lake Skiatook, I agree with the decision to relocate the CrossTimbers golf course from Skiatook Point to Tall Chief Cove and the camping area from Tall Chief Cove to Skiatook Point. The reason is two fold:

1. Tall Chief Cove is more readily accessible to an expanding population, particularly as the area develops as a Tulsa suburb. Future residential and commercial development will likely occur along a widened 52nd Street West, providing a more secure financial underpinning for the golf course and related commercial development at CrossTimbers and reducing long term pressure on the Skiatook Lake Dam traffic going to Skiatook Point.
2. I understand that the developers of CrossTimbers did an extensive study of "ancient" trees and discovered considerably more of them on Skiatook Point than at Tall Chief Cove. It seems reasonable that developing a golf course would be much less destructive to an area less densely populated with such trees.

Gary Harkreader